



Small Claims Court in Illinois -- Supplement©

This supplement includes a forms guide as well as forms.

The forms guide is for use only in filling out the forms.

For more information about what these forms mean or are used for, consult the appropriate Self Help packet.

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Forms that are included in this supplement:

Application to Sue as a Poor Person

Small Claims Complaint

Small Claims Summons (if Defendant has a known address within the state of Illinois)

Small Claims Judgment

Certificate of Mailing of Small Claims Judgment

FORMS GUIDE

ALL FORMS:

At the top of each form is the "caption". It is completed as follows:

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE (number of circuit) JUDICIAL CIRCUIT
(name of county) COUNTY

(Your name))
Plaintiff,)
)
vs.) No. (get from Clerk at the time you
) file)
)
(The name of the person)
you're suing))
Defendant.)

Determine the number of the Circuit according to the chart on the next page. If your county does not appear in the chart, call the Circuit Clerk in the county in which you will be filing your case and ask for the number of the Circuit.

Circuit Courts in Illinois

Cook County is its own judicial circuit. The rest of the counties in Illinois fall into one of 21 circuits.

- First Circuit - The counties of Alexander, Pulaski, Massac, Pope, Johnson, Union, Jackson, Williamson and Saline.
- Second Circuit - The counties of Hardin, Gallatin, White, Hamilton, Franklin, Wabash, Edwards, Wayne, Jefferson, Richland, Lawrence and Crawford.
- Third Circuit - The counties of Madison and Bond.
- Fourth Circuit - The counties of Clinton, Marion, Clay, Fayette, Effingham, Jasper, Montgomery, Shelby and Christian.
- Fifth Circuit - The counties of Vermilion, Edgar, Clark, Cumberland and Coles.
- Sixth Circuit - The counties of Champaign, Douglas, Moultrie, Macon, DeWitt and Piatt.
- Seventh Circuit - The counties of Sangamon, Macoupin, Morgan, Scott, Greene and Jersey.
- Eighth Circuit - The counties of Adams, Schuyler, Mason, Cass, Brown, Pike, Calhoun and Menard.
- Ninth Circuit - The counties of Knox, Warren, Henderson, Hancock, McDonough and Fulton.
- Tenth Circuit - The counties of Peoria, Marshall, Putnam, Stark and Tazewell.
- Eleventh Circuit - The counties of McLean, Livingston, Logan, Ford and Woodford.
- Twelfth Circuit - The county of Will.
- Thirteenth Circuit- The counties of Bureau, LaSalle and Grundy.
- Fourteenth Circuit- The counties of Rock Island, Mercer, Whiteside and Henry.
- Fifteenth Circuit - The counties of JoDaviess, Stephenson, Carroll, Ogle and Lee.
- Sixteenth Circuit - The counties of Kane, DeKalb and Kendall.
- Seventeenth Circuit -The counties of Winnebago and Boone.
- Eighteenth Circuit - The county of DuPage.

Nineteenth Circuit - The county of Lake.

Twentieth Circuit - The counties of Randolph, Monroe, St. Clair, Washington and Perry.

Twenty-first Circuit - The counties of Iroquois and Kankakee.

Twenty-second
Circuit- The county of McHenry

Instructions for Individual Forms*

***Before using the attached forms, check with the Circuit Clerk's Office in the County that you are filing your case to determine whether they have their own forms available either at their office or on-line.**

FORM: Application to Sue as a Poor Person

Introduction: Your name

Paragraph 1: Your address, include street and city.

Paragraph 2: The amount and source of your income, for example, \$339.00 per month in AFDC, supplemented by Food Stamps.

Paragraph 3: List other sources of income not listed in 2.

Paragraph 4: The amount of income you had in the last year.

Paragraph 5: Should be the same as 2, unless you expect your income to go up or down, in which case you should list what you expect your income to be.

Paragraph 6: List the names and birthdates of your children and/or others you support financially.

Paragraph 7: First blank: total value of your possessions;

Second blank: year and make of your car; if you do not have a car, simply put "none";

Third blank: value of your car;

Paragraphs 8-10 Make sure these paragraphs are accurate and then sign your name above the line above Plaintiff*.

*Before you sign your name on the blank line where it says "Plaintiff" you will need to locate a notary public to watch you sign the form. Notary Publics can probably be found at the Circuit Clerk's Office or at your local bank. Make sure you bring identification with you so that the notary can verify that you are the person you claim to be in the document.

FORM: Small Claims Complaint

Plaintiff's name: Your name.

Plaintiff's address: Your address.

Plaintiff's phone number: Your phone number.

Defendant's name: Name of person you are suing.

Defendant's address: Address of person you are suing.

Defendant's phone number: Phone number of person you are suing.

First blank: How much money the Defendant owes you.

Second blank: The reason(s) why the Defendant owes you money.

Sign your name on both of the blank lines after where it says Plaintiff.* (*Please note that your second signature must be notarized by a Notary Public.)

LEAVE THE REST OF THE FORM BLANK FOR THE CLERK AND THE NOTARY PUBLIC TO COMPLETE.

FORM: Summons (Only to be used for Defendants that are residents of Illinois—outside of Illinois please see the Self Help Legal Center packet "How to Serve Someone by Sheriff Outside of Illinois")

FILL OUT THE CAPTION

In the first four blanks write in the date and time of the hearing if the clerk does not do so.

After "Affidavit" write your name in the first blank, and the name of the Defendant being sent the summons in the second blank. In the lines that follow immediately afterwards write the full address of the same Defendant. Then sign your name above the line that says Plaintiff **in front of a Notary Public**. In essence you are swearing that the address above your signature is the address of the Defendant to the best of your knowledge.

After the double line fill in your personal information on the lines for Name through Telephone.

The Circuit Clerk's office should fill out the remainder of the document.

FORM: Small Claims Judgment

FILL OUT ONLY THE CAPTION

LEAVE THE REST OF THE FORM BLANK FOR THE JUDGE TO COMPLETE.

FORM: Certificate of Mailing Of Small Claims Judgment

First blank: Print your name or the person that mailed the judgment .

Second blank: The name of the other party.

Third blank: The address of the other party.

Fourth blank: Name of city in which you mailed a copy of the Judgment to the other party.

Fifth blank: Date you mailed a copy of the Judgment to the other party.

The last blank, on the right side, is for your signature or the person that sent the judgement (it should be the signature of the person whose name is given in the first blank).

STATE OF ILLINOIS

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT

_____ COUNTY

_____)	
)	_____ Application granted
Plaintiff,)	_____ Application denied
)	
vs.)	No. _____
)	
_____)	_____, 20__
)	
Defendant.)	_____
		JUDGE

APPLICATION TO SUE AS A POOR PERSON

I, _____, on my own behalf, on oath state:

1. My current address is _____

_____.

2. My occupation, source of income, amount of public benefits is _____

_____.

3. My other sources of income or support are _____.

4. My income for the preceding year was approximately _____.

5. The sources and amounts of income I expect to receive in the future are:

_____.

6. Person(s) who are dependent on me for support are: _____

7. I own no real estate. The total value of all my personal property does not exceed \$_____ in value and consists of clothing and furniture, and other household items, including a 20____, _____ motor vehicle, valued at \$_____.

8. I filed no applications for leave to sue or defend as a poor person during the preceding year, and none were filed on my behalf.

9. I am unable to pay the costs of commencing and prosecuting this action.

10. I have a meritorious claim.

WHEREFORE, Applicant prays the Court to permit her/him to commence and prosecute this action as a poor person under 735 ILCS 5/5-105 of the Code of Civil Procedure.

Plaintiff

STATE OF ILLINOIS }
 }
COUNTY OF _____ } SS.

I, the undersigned, a Notary Public, in and for said County, in the State aforesaid, do hereby certify that _____, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he/she signed, sealed, and delivered the said instrument as a free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal this _____ day of _____, 200__.

NOTARY PUBLIC

Docket Information:

Complaint filed on _____, 20 ____.

Hearing date: _____, 20 ____.

Date reset (if applicable) _____, 20 ____.

Fees Information:

Filing fee \$ _____ Certified Mail \$ _____ Sheriff \$ _____ Other \$ _____

Hearing Information:

Plaintiff appearing in Court: _____ Defendant appearing in court

Judgment for _____ in the amount of \$ _____ against _____.

Complaint dismissed as to:

Date: _____

Judge: _____

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT
_____ COUNTY

_____,)
Plaintiff,)
)
vs.) No. _____
) Amount claimed \$ _____
_____,)
Defendant.)

SUMMONS
(By Certified Mail)

To the Defendant:

YOU ARE SUMMONED and required to appear before this Court at _____, Illinois at _____ am/pm, _____, 20__ to answer the complaint in this case, a copy of which is attached to this summons. IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF REQUESTED IN THE COMPLAINT.

AFFIDAVIT

_____, on oath states that the last known mailing address of the Defendant, _____ is as follows:

Plaintiff

Signed and Sworn to before me this _____ day of _____, 20__.

Notary Public

Name _____

Street Address _____

City _____

Telephone _____

CERTIFICATE OF MAILING

A copy of this summons was mailed to each defendant in the above affidavit, addressed to each at the address shown, by certified mail on _____, 20__ return receipt requested.

(Clerk of the Circuit Court)

By _____

(Seal of court)

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT
_____ COUNTY

_____,)
Plaintiff,)
)
vs.) No. _____
)
_____,)
Defendant.)

SMALL CLAIMS JUDGMENT

The Court, having had a hearing on the Small Claims Complaint filed by Plaintiff, heard the evidence, and being otherwise fully advised in the premises, finds in favor of the Plaintiff in the amount of \$ _____ including court costs and fees.

IT IS HEREBY ORDERED that Defendant _____ shall pay to _____, the sum of \$ _____ per _____, the first payment to be made on the _____ day of _____ 20__ and payable on the _____ day of each _____ thereafter until the judgment has been paid in full.

This judgment shall incur an interest rate of 9% per year until paid in full.

DATE: _____ ENTERED: _____

JUDGE

